

REMARKS

Claims 1-9 are all the claims pending in the application.

Allowable Subject Matter

The Examiner indicates that Claim 5 and Claim 6 contain allowable subject matter and would be allowed if rewritten into independent form including the limitations of the claims from which they depend. Applicant respectfully requests that the rewriting of these claims in abeyance at this time.

Claim Rejections

Claims 1, 2, 4, 6(1), 6(2), 6(4), and 7-9 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Hatasa et al., U.S. Patent Publication No. 2003/0215280 (“Hatasa”). Claims 3 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Hatasa, in view of Kosugi, U.S. Patent No. 6,585,345 (“Kosugi”).

Without commenting on the substantive merits of the Examiner’s rejections, Applicant is hereby traversing the prior art rejections of claims 1, 2, 3, 4, 6(1), 6(2), 6(4), and 7-9 by perfecting the claim to foreign priority.

Applicant notes that the publication date of Hatasa (November 20, 2003) is after the U.S. filing date of the present application (October 28, 2003), and therefore, Hatasa is available as a prior art reference against the present Application under only 35 U.S.C. § 102(e). Applicant also notes that the date of the priority document (October 28, 2002) is prior to the filing date of Hatasa (April 10, 2003), and is also prior to the filing date of the parent Application of Hatasa, U.S. No. 10/407, 266 (April 7, 2003).

Applicants are perfecting their claim to priority by filing herewith a verified English translation of the priority document (JP 2002-312399) with the U.S. Patent and Trademark Office, thereby removing Hatasa as a prior art reference against the application.

Therefore, Applicant respectfully requests that the current rejections of the claims be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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